

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

## THE UNITED STATES ATTORNEY CHARGES THAT:

## **COUNT ONE**

*Conspiracy to Commit Wire Fraud*  
18 U.S.C. § 1349

At all times relevant to this Information:

1. Defendant **KENNETH MEERS** worked in the State of Georgia. From in or around May 2018 until in or around April 2021, he was the course director and School Certifying Officer (“SCO”) at a scuba school and retail store operating as Scooba Shack in Richmond Hill and Savannah, Georgia, within the Southern District of Georgia. From in or around May 2020 until in or around June 2021, he was a consultant at a scuba school and retail store operating as Diver’s Den in Camden County, Georgia, within the Southern District of Georgia. From in or around June 2021 to in or around February 2022, Defendant was a scuba instructor at Diver’s Den.

2. The United States Department of Veterans Affairs (“VA”) was a department of the United States that provided education, health, and other benefits to veterans of the United States Armed Forces.

3. The Post-9/11 GI Bill was a VA education benefit program that paid for tuition, housing, and other costs for veterans who met certain eligibility

requirements. Under the Post-9/11 GI Bill, tuition benefits were paid directly to VA-approved educational institutions, and housing and other costs were paid directly to veterans enrolled in VA-approved courses of study.

4. Educational institutions seeking VA approval to participate in the Post-9/11 GI Bill program had to apply to the VA and agree to comply with program rules. Among other things, the institutions had to agree to maintain positive attendance records for enrolled veterans, promptly notify the VA of changes to veteran student enrollment, and maintain compliance with the “85-15” rule, pursuant to which educational institutions had to charge the same tuition rate to veteran students receiving VA benefits and non-veteran students, and no more than 85% of the enrollees in an approved course could be VA funded. Institutions also had to submit proposed course catalogs for approval. SCOs were responsible for submitting true and accurate information to the VA.

5. On or about May 5, 2018, Scooba Shack applied to the VA for approval to provide certain courses of study to veterans through the Post-9/11 GI Bill.

6. On or about July 23, 2018, Scooba Shack received VA approval to provide eight courses of study. Thereafter, Scooba Shack billed the VA between approximately \$2,488 and \$20,511 per veteran student enrollee for each course.

7. On or about October 28, 2020, Diver’s Den applied to the VA for approval to provide certain courses of study to veterans through the Post-9/11 GI Bill.

8. On or about November 20, 2020, Diver’s Den received VA approval to provide a Divemaster course. Thereafter, Diver’s Den billed the VA between approximately \$17,094 and \$20,811 per veteran student enrollee for each course.

9. Beginning in or around March 2018 and continuing through at least February 2022, within Bryan and Camden Counties, within the Southern District of Georgia, and elsewhere,

**KENNETH MEERS,**

did knowingly and willfully combine, conspire, confederate, and agree with at least one other person to commit wire fraud, that is to devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of false and fraudulent pretenses, representations and promises, and for the purpose of executing the scheme and artifice and to obtain money and property, caused to be transmitted wires and signals in interstate and foreign commerce, namely interstate communications to be made over the internet, in furtherance of the scheme and artifice to defraud, in violation of 18 U.S.C. § 1343.

**The Object of the Conspiracy**

10. The object of the conspiracy was for the Defendant and his co-conspirators to obtain Post-9/11 GI Bill payments for Scooba Shack and Diver's Den from the VA by providing the VA with false and fraudulent information about veterans who were purportedly enrolled in and attending scuba classes at the two scuba schools.

**The Manner and Means of the Conspiracy**

11. The Defendant committed the following acts, among others, in furtherance of the conspiracy, and to effect the object thereof, while employed at Scooba Shack:

a. The Defendant prepared and submitted Scooba Shack's

application for VA approval. The Defendant also prepared a course catalog which was submitted with the application. The Defendant knew that the application and the course catalog contained false information when he submitted them to the VA. Specifically, the Defendant knew that Scooba Shack had not offered the PADI Pro Divemaster course for two years (a requirement for VA approval) and that the course catalog reflected inflated numbers of hours for each course.

b. The Defendant further knew that Scooba Shack's courses were generally not in compliance with the 85-15 Rule, and that Scooba Shack's owners, Coconspirators 1 and 2, had, at the Defendant's direction, set up a fake scholarship fund to evade compliance with the Rule. The Defendant knew that the intent of the scholarship was ostensibly to pay for non-VA funded students who enrolled in Scooba Shack's VA-approved courses of study. In fact, the scholarship did not pay out any funds, and instead non-VA funded students were allowed to attend classes for free or at discounted rates in violation of the 85-15 rule.

c. As a Scooba Shack SCO, the Defendant knowingly submitted false enrollment, attendance, and course completion documentation to the VA via the VA-ONCE system to obtain payments from the VA. These submissions traveled via interstate wire communications from Georgia to Pennsylvania.

12. The Defendant committed the following acts, among others, in furtherance of the conspiracy and to effect to object thereof, while employed by Diver's Den:

a. The Defendant developed Diver's Den's VA program, and submitted false information to the VA to gain the approval to participate in the Post-

9/11 GI Bill program. Among other things, he submitted to the VA a course catalog that reflected an inflated number of hours for the SDI Divemaster Course, which the VA approved. As a course instructor, the Defendant knew that students were not required to attend class, and prepared false attendance documents for submission to the VA.

b. The Defendant further knew that Diver's Den's courses were generally not in compliance with the 85-15 Rule. The Defendant advised an owner and operator of Diver's Den, Coconspirator 3, and others to set up a fake scholarship fund to evade Diver's Den compliance with the 85-15 Rule. As with Scooba Shack, the intent of the scholarship was ostensibly to pay for non-VA funded students who enrolled in Diver's Den's VA-approved courses of study. In fact, the scholarship did not pay out any funds, and instead non-VA funded students were allowed to attend classes for free or at discounted rates in violation of the 85-15 Rule.

c. The Defendant used Coconspirator 3's SCO credentials to log into the VA-ONCE system, and knowingly submitted false enrollment, attendance, and completion information to the VA on Diver's Den's behalf in order to obtain payments from the VA. These submissions traveled via interstate wire communications from Georgia to Pennsylvania.

All in violation of Title 18, United States Code, Sections 1349.

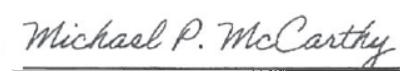


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David H. Estes  
United States Attorney

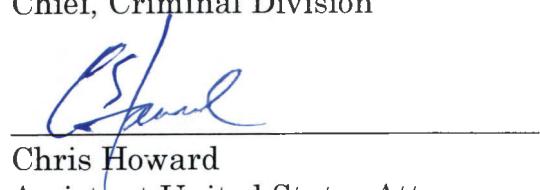
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